

P. Andrew McStay, Jr., OSB No. 033997  
DAVIS WRIGHT TREMAINE LLP  
560 S.W. Tenth Avenue, Suite 700  
Portland, Oregon, 97205  
+1 (503) 241-2300  
+1 (503) 778-5299 facsimile  
andymcstay@dwt.com

Matthew S. Warren (*pro hac vice* pending)  
Erika H. Warren (*pro hac vice* pending)  
WARREN KASH WARREN LLP  
2261 Market Street, No. 606  
San Francisco, California, 94114  
+1 (415) 895-2940  
+1 (415) 895-2964 facsimile  
25-880@cases.warrenlex.com

*Attorneys for Defendant RLH Assets, LLC  
d/b/a Foodwit*

UNITED STATES DISTRICT COURT  
  
DISTRICT OF OREGON  
  
PORTLAND DIVISION

ESHA RESEARCH, LLC, an Oregon limited  
liability company,

Plaintiff,

v.

RLH ASSETS, LLC d/b/a FOODWIT, an  
Oregon limited liability company,

Defendant.

Case No. 3:25-cv-00880-JR

**DECLARATION OF MATTHEW S.  
WARREN IN SUPPORT OF  
FOODWIT'S MOTION TO DISMISS  
FIRST AMENDED COMPLAINT**

I, Matthew S. Warren, declare under 28 U.S.C. § 1746:

1. I am an attorney licensed to practice in the State of California. On May 29, 2025, I filed a motion for leave to appear *pro hac vice* in this action. Docket No. 23. I am a partner at Warren Kash Warren LLP, counsel for defendant RLH Assets, LLC d/b/a Foodwit in this action. I have personal knowledge of the matters set forth herein and, if called as a witness, could and would testify competently thereto.

2. Attached as Exhibit 1 is a true and correct copy of a redline comparison document showing differences between Docket No. 1 and Docket No. 18. To prepare this document, my office converted these two documents from PDF to Microsoft Word format, removed the caption pages and signature blocks from both documents, loaded the documents into Microsoft Word version 16.98, and employed the program's "Compare Documents" feature, selecting Docket No. 1 as the "Original document" and Docket No. 18 as the "Revised document."

3. Attached as Exhibit 2 is a true and correct copy of a redline comparison document showing differences between Docket No. 7-6 and pages 22-36 of Docket No. 7-9. To prepare this document, my office converted these two documents from PDF to Microsoft Word format, loaded the documents into Microsoft Word version 16.98, and employed the program's "Compare Documents" feature, selecting Docket No. 7-6 as the "Original document" and pages 22-36 of Docket No. 7-9 as the "Revised document."

I declare under penalty of perjury that the foregoing is true and correct. Executed on July 1, 2025, at San Francisco, California.



Matthew S. Warren